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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Ina)	Art Unit: 2614
)	
Serial No.: 10/781,289)	Examiner: Natnael
)	
Filed: February 17, 2004)	50T5650.01
)	
For: <u>SYSTEM AND METHOD FOR TV AUTOMATIC</u>)	November 1, 2005
<u>GAIN CONTROL (AGC)</u>)	750 B STREET, Suite 3120
)	San Diego, CA 92101
)	

RESPONSE TO OFFICE ACTION

Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

In response to the Office Action dated October 27, 2005, allowing Claims 4-9 and 12-15 and rejecting Claims 2 and 3 under 35 U.S.C. §112, second paragraph, the following remarks are submitted. The rejections allege indefiniteness based on three grounds: per the examiner, it is not clear which of the demodulators in the disclosure Claim 2 refers to; per the examiner, it is not clear which IF output signal from the disclosure the claim is referring to; and per the examiner, the IF gain adjust amplifier "is not seen to receive an IF output signal (presumably unfiltered IF)".

The examiner is confusing claim definiteness with disclosure requirements. It is required that the disclosure explain how to make and use an invention, not that every detail in the disclosure be contained in the claims.

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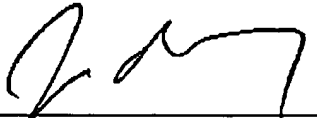
Turning to the first allegation, for instance, a claim is definite when, as here, only two signals are recited (the "output IF signal" generated by the RF gain adjust amplifier, and the "filtered IF output signal" generated by the filter) and the claim subsequently refers to both by their exact respective antecedent terms.

Turning to the second allegation, it is not necessary for the claim, to be definite, refer to a particular IF signal in the disclosure, as long as it is internally consistent in its reference to the IF signal being claimed. Thus, whether the signal comes from the amplifier 26 via the switch 47 or the power detect unit 48 via the switch 44 (as postulated in the rejection) is irrelevant to definiteness. The claim consistently refers to "IF output signal" without the modifier "filtered" as the signal first recited in the initial element of the claim.

Addressing the third contention, while Applicant does not fully understand the examiner's point, it appears to be his assertion that the claim must contain a reference to the disclosed IF gain adjust amplifier receiving an unfiltered signal to be definite. That is not the law. A claim need not recite every element disclosed, unless the element has been affirmatively disclosed to be "critical" in the specification, MPEP §2163.05, 2164.08(c).

The application is ripe for allowance.

Respectfully submitted,



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